1952.

File No. O. Lepers/52

Legal Deptt.

A **BRANCH**

P 3(e)

Subject:— Opinions under the Lepers Act, 1898.

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The only statutory provisions on the subject are contained in section 35 of the Bombay District Municipal Act, 1901, section 70 of the Bombay Municipal Boroughs Act, 1925, and section 65 of the Bombay Provincial Municipal Corporations Act, 1949. There is no similar statutory provision in the Cantonments Act, nor in the Bombay Local Boards Act, 1923. These latter bodies can, however, contribute towards the cost of the maintenance of lepers orphans section 17 of the Lepers Act, 1898. The provisions in the three Municipal enactments which fall into two categories. In the first category comes section 35 of the Bombay District Municipal Act which speaks only of lepers under any enactment for the time being in force removed from such district. In the second category fall sections 70 of the Bombay Municipal Boroughs Act, 1925, and section 65 of the Bombay Provincial Corporations Act which speak of lepers resident within or under any enactment for the time being in force removed from such borough. The expression "lepers under any enactment for the time being in force removed" has reference to the procedure laid down in section 6 to 8 of the Lepers Act, and, therefore, so far as District Municipalities are concerned, they would be liable to pay only in respect of lepers so removed. The Municipal Boroughs and the Municipal Corporations would, however, be liable to pay not only for those who are removed in accordance with the provisions of sections 6 to 8 of the Lepers Act, but also for all other lepers, whether they have been voluntarily admitted in the asylum or not, so long as they were resident for the requisite period within their respective areas.

Sd/-P.M.Lad

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O. . Remembrancer of Legal Affairs.

No.M. to L.S.G.X. P.M.D.No. 5206, dated the 15th May 1952./

OFFICE OF THE Rules.

Rule 14 of the said Rules framed under section 16 of the Lepers Act. 1898 xxxx runs as follows:-

The following registers and books shall be kept by the Superintendent:-

General Register in form I;

Punishment Register in form II

and the following returns shall be submitted quarterly to the Board:-

A return of admissions and discharges in form III.

A return of patients in hospital in form IV.

A case Book in form V

From the above it appears that form No. II (Form C.M 74) and Form No. V (Form C.M.77) are to be maintained separately as prescribed under the statutory Rule No. 14. It would not therefore be legally feasible to combine these two forms into one as recommended by the Special Officer unless rule 14 is suitably amended.

CS/A.M.L.C

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for Secretary to Government of Legal Affairs.

U.O. to L.S.G. & P.W.D.No. 1:542/A dated the 7th November 1952.

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